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Respectfully submitted,

By: Byron S. Kuzara  
 Registration Number 51,255  
 Banner & Witcoff, Ltd.

**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

<i>In re</i> Application of	)	
James MESCHTER	)	Group Art Unit: 3728
Serial Number 10/609,010	)	Examiner: Kavanaugh, J.
Filed: June 30, 2003	)	Attorney Reference 005127.00302
For: ARTICLE AND METHOD FOR LASER- ETCHING STRATIFIED MATERIALS	)	

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
 Alexandria, VA 22313

Sir:

In response to the Restriction Requirement of November 4, 2004, the Applicant elects Species II, which includes various claims directed to methods of manufacturing footwear, and submits that each of claims 12-44 are included in the elected species. This Response to Restriction Requirement is being filed with a Preliminary Amendment, in which independent claim 30 is amended to recite a method for manufacturing an article of footwear. This election is made without traverse.

The Applicant reserves the right to file a divisional application regarding the subject matter of the non-elected claims.

This Response To Restriction Requirement is being timely filed by virtue of its facsimile transmission on December 1, 2004. Should additional fees or an extension of time be deemed necessary for consideration of this Response To Restriction Requirement, such fees or extension are hereby requested and the Commissioner is authorized to charge deposit account number 19-0733 for the payment of the requisite fee. The Applicant respectfully awaits examination on the merits.

Respectfully submitted,

By:   
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Dated: December 1, 2004